

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 29 2001

TIMOTHY R. WALBRIDGE, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

In Re:

SITSLER, JAMES ALBERT,

Debtor,

Case No. 01-02391-R

Chapter 7

Donald Smiddy,

Plaintiff,

vs.

Adversary No. 01-0321-R

James Albert Sitsler,

Defendant.

JUDGMENT

This Court, upon review and consideration of the Complaint filed by Donald Smiddy against James Albert Sitsler and the Stipulation for Judgment filed in this case, finds as follows:

1. This is a core proceeding pursuant to 28 U.S.C. Section 157(a)(2).
2. This Court has jurisdiction of the subject matter by virtue of 28 U.S.C. Section 1471 and the Bankruptcy Code, 11 U.S.C. Section 101-151326, enacted by Public Law 95-598 on November 6, 1978, and the Bankruptcy Amendments and Federal Judgeship Act of 1984, P.L. 98-353, and the Bankruptcy Judges, United States Trustees and Family Bankruptcy Act of 1986 (P.L. No. 99-554).
3. The Plaintiff commenced the above-captioned Complaint pursuant to 11 U.S.C. Section 523(a)(6).
4. The Defendant filed his Voluntary Petition for Relief under Chapter 7 of the United States Bankruptcy Code on May 22, 2001.

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Clerk, U.S. Bankruptcy Court
Northern District of Oklahoma

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5. The Plaintiff is the holder of a general unsecured claim against the Defendant.

6. Prior to the commencement of the case proceeding, the Defendant willfully and maliciously caused the Plaintiff damages.

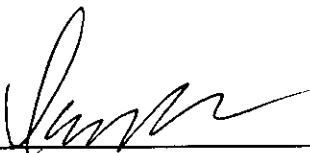
7. In a state court proceeding, the Plaintiff and Defendant reached a settlement wherein the Defendant agreed to pay the Plaintiff \$12,500.00.

8. After application of the payments made by the Defendant to Plaintiff pursuant to the settlement, the balance owed is \$9,073.00.

9. Pursuant to 11 U.S.C. §523(a)(6), a discharge under 11 U.S.C. Section 727 does not discharge an individual debtor from debts for willful and malicious injury by the debtor to another person.

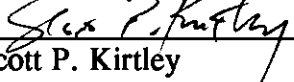
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the debt James Albert Sitsler owes Donald Smiddy in the amount of \$9,073.00 is nondischargeable pursuant to 11 U.S.C. Section 523(a)(6).

Dated this 29 day of October, 2001.


UNITED STATES BANKRUPTCY JUDGE
DANA L. RASURE


Agreed as to form and content:

RIGGS, ABNEY, NEAL,
TURPEN, ORBISON & LEWIS



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